

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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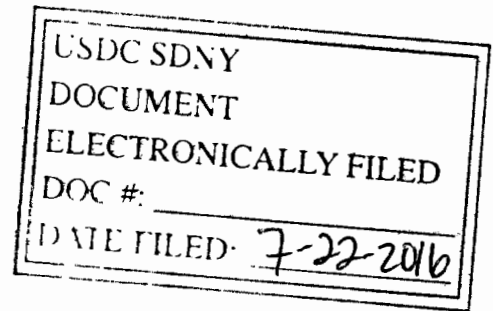
UNITED STATES OF AMERICA :

- v. - :

SEAN STEWART, :

Defendant. :

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S1 15 Cr. 287 (LTS)

Upon the annexed application of PREET BHARARA, United States Attorney for the Southern District of New York, for an order pursuant to Title 18, United States Code, Sections 6002 and 6003, compelling MARK BOCCIA to testify and to provide other information in United States v. Sean Stewart, 15 Cr. 287 (LTS), in the United States District Court for the Southern District of New York, and upon the declaration of Assistant United States Attorney Sarah Eddy McCallum, submitted in support thereof; and it appearing that,

1. MARK BOCCIA is scheduled to appear as a witness in United States v. Sean Stewart, 15 Cr. 287 (LTS); and,
2. It is expected that MARK BOCCIA will refuse to testify on the basis of his privilege against self-incrimination; and,
3. It is the judgment of the United States Attorney that the testimony and other information that MARK BOCCIA could give in United States v. Sean Stewart,

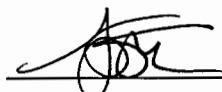
15 Cr. 287 (LTS), may be necessary to the public interest; and,

Upon the approval of the aforesaid application by the Department of Justice, by the Assistant Attorney General, pursuant to the authority vested in him by Title 18, United States Code, Section 6003 and 28 C.F.R. 0.175; it is hereby:

ORDERED that, pursuant to Title 18, United States Code, Sections 6002 and 6003, MARK BOCCIA give testimony and provide other information as to all matters about which he may be questioned in United States v. Sean Stewart, 15 Cr. 287 (LTS); and

IT IS FURTHER ORDERED that, pursuant to Title 18, United States Code, Sections 6002 and 6003, no testimony or other information compelled under this Order, or any information directly or indirectly derived from such testimony or other information, may be used against MARK BOCCIA in any criminal case, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with this Order.

This order shall become effective only if after the date of this Order MARK BOCCIA refuses to testify or provide other information on the basis of his privilege against self-incrimination.



The Hon. Laura Taylor Swain
United States District Judge

Dated: New York, New York
July 22, 2016

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- V. - :

SEAN STEWART, :

S1 15 Cr. 287 (LTS)

Defendant. :

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Sarah Eddy McCallum, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the office of PREET BHARARA, United States Attorney for the Southern District of New York, and as such am one of the attorneys responsible for the prosecution of the above-captioned case.

2. This Declaration is made in support of the application by the United States Attorney for the Southern District of New York for an order pursuant to Title 18, United States Code, Sections 6002 and 6003 directing MARK BOCCIA to give testimony and provide other information in the above-captioned case.

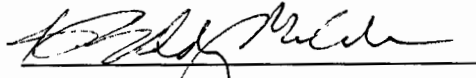
3. Based on representations from his counsel, I understand that MARK BOCCIA intends to invoke his privilege against self-incrimination if called to testify at the trial of United States v. Sean Stewart, 15 Cr. 287 (LTS).

4. Upon information and belief, MARK BOCCIA can give relevant testimony in the above-mentioned matter, which testimony may be necessary to the protection of the public interest.

5. This application for immunity is made in good faith.

WHEREFORE, and upon the application of Preet Bharara, annexed hereto, it is respectfully requested that the application be granted.

Dated: New York, New York
July ~~22~~ 2016


SARAH EDDY MCCALLUM
Assistant United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

- v. - :

SEAN STEWART, : S1 15 Cr. 287 (LTS)

Defendant. :

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PREET BHARARA, United States Attorney for the Southern District of New York, for the reasons hereinafter set forth and upon the declaration of Assistant United States Attorney Sarah Eddy McCallum, hereby requests an order compelling MARK BOCCIA to give testimony and provide other information pursuant to the provisions of Title 18, United States Code, Sections 6002 and 6003, and respectfully alleges as follows:

1. MARK BOCCIA is scheduled to testify in United States v. Sean Stewart, 15 Cr. 287 (LTS), in the United States District Court for the Southern District of New York.

2. This application is made in good faith and upon my judgment that the testimony from MARK BOCCIA may be necessary to the public interest.

3. It is expected that MARK BOCCIA will refuse to testify in United States v. Sean Stewart, 15 Cr. 287 (LTS), on the basis of his privilege against self-incrimination.

4. This application is made with the approval of the Department of Justice, by the Assistant Attorney General, pursuant to the authority vested in him by Title 18, United States Code, Section 6003 and Title 28, Code of Federal Regulations, Section 0.175. A copy of the letter setting forth the approval of the Department of Justice for this application is attached hereto.

WHEREFORE, the United States of America by the United States Attorney for the Southern District of New York respectfully requests the Court to issue an order requiring MARK BOCCIA to give testimony in United States v. Sean Stewart, 15 Cr. 287 (LTS), and provide other information with regard to all matters about which he may be questioned, pursuant to the provisions of Title 18, United States Code, Sections 6002 and 6003.

Dated: New York, New York
July 14, 2016

Respectfully,

By: 

Acting United States Attorney
Pursuant to 28 C.F.R. §0.136

PREET BHARARA
United States Attorney



U.S. Department of Justice

Criminal Division

Assistant Attorney General

Washington, D.C. 20530

JUL 20 2016

The Honorable Preet Bharara
United States Attorney
Southern District of New York
One St. Andrew's Plaza
New York, NY 10007

Attention: Sarah Eddy McCallum
Assistant United States Attorney

Re: *United States v. Sean Stewart*

Dear Mr. Bharara:

Pursuant to the authority vested in me by 18 U.S.C. § 6003(b) and 28 C.F.R. § 0.175(a), I hereby approve your request for authority to apply to the United States District Court for the Southern District of New York for an order, pursuant to 18 U.S.C. §§ 6002-6003, requiring Mark Boccia to give testimony or provide other information in the above matter and in any further proceedings resulting therefrom or ancillary thereto.

Sincerely,

Leslie R. Caldwell
Assistant Attorney General

A handwritten signature in black ink, reading "Paul M. O'Brien", is located below the typed name.

PAUL M. O'BRIEN
DEPUTY ASSISTANT ATTORNEY GENERAL
CRIMINAL DIVISION